

Introduced: 1/16/76  
Referred: Community & Regional  
Affairs and Judiciary

1 IN THE HOUSE

BY THE RULES COMMITTEE BY  
REQUEST OF THE GOVERNOR

CS

HOUSE BILL NO. 604

2  
3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the Uniform Land Sales Practices  
7 Act."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 34.55.008 is amended to read:

10 Sec. 34.55.008. PROHIBITIONS ON DISPOSITIONS OF INTERESTS IN  
11 SUBDIVISIONS. Unless the subdivided land or the transaction is exempt  
12 by sec. 42 of this chapter

13 (1) no person may offer or dispose of in this state an  
14 interest in subdivided land [LOCATED OUTSIDE THIS STATE] before the  
15 time the subdivided land is registered in accordance with this chapter;

16 (2) no person may dispose of an interest in subdivided land  
17 [LOCATED OUTSIDE THIS STATE] unless a current public offering statement  
18 is delivered to the purchaser and the purchaser is afforded a reason-  
19 able opportunity to examine the public offering statement before the  
20 disposition.

21 \* Sec. 2. AS 34.55.032 is amended to read:

22 Sec. 34.55.032. JURISDICTION. A disposition of subdivided land  
23 is subject to this chapter and the superior court of this state has  
24 jurisdiction in claims or causes of action arising under this chapter  
25 if

26 (1) the subdivider's principal office is located in this  
27 state; or

28 (2) the subdivided land is located in this state; or

29 (3) [(2)] an offer or disposition of subdivided land is

1 made in this state, whether or not the offeror or offeree is then  
2 present in this state, if the offer originates in this state or is  
3 directed by the offeror to a person or place in this state and received  
4 by the person or at the place to which it is directed.

5 \* Sec. 3. AS 34.55.042(a)(2) is repealed.

6 \* Sec. 4. AS 34.55.044(6) is repealed and re-enacted to read:

7 (6) "subdivision" and "subdivided land" mean any land,  
8 located outside of this state which is divided or proposed to be  
9 divided into 10 or more lots, or located in this state which is divided  
10 or proposed to be divided into 50 or more lots, whether contiguous or  
11 not, for the purpose of sale or lease as part of a common promotional  
12 plan; if subdivided land is offered for sale or lease by a single  
13 developer, or a group of developers acting in concert, and the land is  
14 contiguous or is known, designated, or advertised as a common unit or  
15 by a common name that land is, without regard to the number of lots  
16 covered by each individual offering, presumed to be offered for sale  
17 or lease as part of a common promotional plan; all lots created by a  
18 person within a five-mile radius from any point of the most recently  
19 created lot or lots, within any consecutive five-year period, are  
20 presumed to be part of a common promotional plan;  
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